

nan Company for appraisal work in the Elmwood Park Project, Mich. R-40.

This agreement was authorized by your Honorable Body December 13, 1960.

Respectfully submitted,  
 MARK K. HERLEY,  
 Director-Secretary.

By Councilman Patrick:  
 Resolved, That the agreement with Geo. W. Drennan, for acquisition appraisal work in the Elmwood Park Project, Mich. R-40, be and the same is hereby confirmed.

Adopted as follows:  
 Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Youngblood and President Beck—8.  
 Nays—None.

**Reconsideration**

Councilman Van Antwerp moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Youngblood and President Beck—8.  
 Nays—None.

Councilman Carey then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

**Department of Public Works**

December 28, 1960.

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

Contract, PW-3129, Title, Paving Sidewalks & Driveways, Group 120 District 9C, Contractor, J. J. Barney, Inc., Adj. Contract Price, \$22,374.09.

Contract, PW-3749, Title, Paving Tireman, Penrod to Ashton, Contractor, A. J. Smith Contracting Co., Adj. Contract Price, \$23,380.36.

Contract, PW-3752, Title, Paving Alley Bounded by Hayes, Brock, Fordham, Seven Mile, Contractor, A. J. Smith Contracting Co., Adj. Contract Price, \$7,766.00.

Contract, PW-3795, Paving Alley Bounded by St. Louis, Mt. Elliott, Seven Mile, Emery, Contractor, A. J. Smith Contracting Co., Adj. Contract Price, \$8,406.05.

Contract, PW-3796, Title, Paving Alley Bounded by Mt. Elliott, Filer, Seven Mile, Emery, Contractor, A. J. Smith Contracting Co., Adj. Contract Price, \$8,659.20.

DONALD B. WARD,  
 Engineer of Tests & Inspection.

M. F. WAGNITZ,  
 City Engineer.

GLENN C. RICHARDS,  
 Commissioner of Public Works.

By Councilman Patrick:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it

Resolved, That the said contracts be and are hereby accepted.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Youngblood and President Beck—8.  
 Nays—None.

**Reconsideration**

Councilman Rogell moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Youngblood and President Beck—8.

Councilman Smith then moved the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

**Department of Public Works**

December 29, 1960.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Board of Education, No. 7771, requesting the vacation of the east-west public alley in the block bounded by Wildemere, Lawton, Philadelphia and Pingree Avenues, within the limits of a school site. The vacation of said alley was approved by the City Plan Commission at an earlier date.



We wish to advise that our investigations are completed.

As per our directive, on December 12, 1960, the Board of Education issued the following purchase orders:

1) No. 38989, in favor of the Street Design Division of the D.P.W. for reimbursement of the original cost of paving  $\frac{1}{2}$  of Wildemere and Lawton Avenues at the intersection of the alley to be vacated.

2) No. 38988, in favor of the Street Maintenance Division of the D.P.W., to cover costs of removing paved alley returns, construct new curb and walk, adjust manhole and backfill where necessary.

3) No. 38987, in favor of the Public Lighting Commission, to cover costs of removing and rerouting the P.L.C. facilities necessitated by the vacation of said alley.

A temporary easement is reserved in the vacating resolution for the Public Lighting Commission in order to maintain primary service to the portable school at Philadelphia and Wildemere, until the scheduled removal of the portable school in 1965.

Proper provisos have been incorporated into the vacating resolution protecting the City's interests in the sewers located in the alley to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Patrick:

Resolved, That all of the east-west public alley, 16 feet wide in the block bounded by Wildemere, Lawton, Philadelphia and Pingree Avenues as platted "Lyndale" Subdivision of Lots 6, 7, 8, 17, 18 and 19 of Montclair Subdivision of Part of  $\frac{1}{4}$  Sections 48 and 53, 10,000 A. T. Greenfield (now City of Detroit) Wayne County, Michigan, as recorded in Liber 18, Page 30 of Plats Wayne County Records lying south of and adjoining the south line of Lots 281 to 305 both inclusive, and south of and adjoining the south line of the east 8.57 feet of Lot 306, north of and adjoining the north line of Lots 212 to 236 both inclusive and north of and adjoining the north line of the east 8.53 feet of Lot 211, all of the abovementioned subdivision.

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property, subject to the following provisions:

1) Provided, That by reason of the vacation of the above-described alley,

the City of Detroit does not waive any rights to the sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter, or service same, and further

2) Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 inches of Class "A" concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed, to be borne by the petitioners, their successors, or assigns, and further

3) Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4) Provided, That in the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer; and further

Resolved, That a temporary easement or right-of-way is reserved in and over the vacated alley heretofore mentioned for the purpose of maintaining primary service by the Public Lighting Commission to the portable school located at Philadelphia and Wildemere Avenues until 1965 or until such time as the service to the portable school is to be discontinued.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Youngblood and President Beck—8.

Nays—None.

#### Purchases and Supplies

January 3, 1961.

Honorable Common Council:

Gentlemen—The Department of Purchases and Supplies recommends that contracts be entered into with the firms or persons as detailed in the following communications:

FILE NO. 1062

One bid was received as a result of three solicitations.

For furnishing the Department of Health (Hospitals) with Fruits & Vegetables, Fresh & Frozen.

Items and Prices are on file in the Office of the City Clerk.

To: Cusumano Bros., of Detroit—

29 Items—All to be U.S.D.A. graded except Frozen Foods for delivery January 5 through January 11, 1961.

This purchase totals approximately